

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS, LLC D/B/A  
BRAZOS LICENSING AND  
DEVELOPMENT,  
*Plaintiff,***

**V.**

**CANON, INC.,**  
*Defendant.*

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**CIVIL ACTION 6:20-cv-00982-ADA**

## **JOINT STIPULATION OF DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development (“WSOU”) and Defendant Canon, Inc. (“Canon”) (collectively, “Parties”) hereby stipulate through their respective counsel of record as follows:

WHEREAS, on October 19, 2020, WSOU filed a Complaint for Patent Infringement against Canon alleging infringement of U.S. Patent No. 8,588,537 (“the ’537 Patent”) in the United States District Court for the Western District of Texas (Dkt. 1);

WHEREAS, on December 14, 2020, Canon waived service of summons (Dkt. 9);

WHEREAS, on March 15, 2021, Canon filed: (1) a Motion to Dismiss Complaint for Patent Infringement (Dkt. 13), in which Canon sought the dismissal of WSOU's claims for induced and contributory infringement of the '738 Patent; and (2) an Answer to Complaint for Patent Infringement (Dkt. 14);

WHEREAS, on April 12, 2021, WSOU filed an Amended Complaint for Patent Infringement against Canon;

WHEREAS, on April 26, 2021, Canon filed a Motion to Dismiss WSOU's Amended Complaint; and

WHEREAS, the Parties desire to resolve the above-entitled action.

**THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between WSOU and Canon through their respective undersigned counsel that:

- WSOU's claims for direct and indirect infringement of the '537 Patent against Canon based solely on Canon's CXDI Digital Radiography Systems (e.g. CXDI-80C, CXDI 10 Series, and CXDI-02 Series), *i.e.*, any products or software referenced in the Complaint, Amended Complaint and/or the Preliminary Infringement Contentions and any other Canon CXDI Radiography Systems that operate in a reasonably similar manner to the Accused Product with respect to the accused features ("Accused Products") shall be dismissed WITH PREJUDICE;
- WSOU's claims for direct and indirect infringement of the '537 Patent that WSOU has or may have in the future, including any claims of past, present, or future infringement of the '537 Patent against Canon and/or any of Canon's affiliates, subsidiaries, customers, or partners with respect to any Canon products and/or services other than the Accused Products shall be dismissed WITHOUT PREJUDICE;
- WSOU reserves and does not waive any rights or defenses as to WSOU's patent infringement claims against Canon in other actions, including, but not limited to the claims concerning: (1) U.S. Patent No. 7,054,346 in Case No. 6:20-cv-00980-ADA and (2) U.S. Patent No. 7,116,714 in Case No. 6:20-cv-00981-ADA; and
- Each party will bear its own costs, expenses, and attorneys' fees.

IT IS SO STIPULATED.

September 28, 2021

/s/ Jonathan K. Waldrop

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Respectfully submitted,

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**ATTORNEYS FOR DEFENDANT**

**CANON, INC.**

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing instrument was served or delivered electronically via U.S. District Court [LIVE] — Document Filing System, to all counsel of record, on this 28th day of September 2021.

/s/ Jonathan K. Waldrop  
**Jonathan K. Waldrop**